

### Statement by the Defendant

You have heard testimony that the Defendant made statements to law enforcement personnel. It is for you to decide in the first instance whether the Defendant made the statement and if so how much weight to give it. In making those decisions , you should consider all of the evidence about the statement including the circumstances under which the defendant may have made it.

Those circumstances include the voluntariness of the statement. In determining the voluntariness of any statement you may consider any number of factors. They include whether the defendant was in custody and for how long; whether the defendant was advised of his constitutional rights against self-incrimination; whether the statement was obtained by the use or threatened use of physical force or any other improper conduct or undue pressure which may have impaired the defendant's physical or mental condition to the extent of undermining his ability to make a choice of whether or not to make a statement.

After hearing all of the relevant evidence on the circumstances surrounding the giving of the statement it is your determination solely as to how much weight the statement deserves. (See: 18 USC 3501)